

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - October 13, 1971

Appeal No. 10920 St. Cyprians Catholic School, appellants

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of October 19, 1971.

ORDERED:

That the appeal for a variance from the minimum lot area, width and lot occupancy requirements of the R-4 District to permit 13 townhouses, each with rental unit at 256-60 13th St. S.E., and 1238-42 C St. S.E., lots 94,95,261,262,263,800 and 801, Square 1015 be Denied.

FINDINGS OF FACT:

1. The subject property is located in a R-4 District.
2. The property is improved with a church, however it is being razed at this time.
3. Appellant proposes to erect 13 townhouses each with a rental unit.
4. The appellant stated that the basis of the variance is twofold. One, by reason of the type of improvements that are on the site now, the soil conditions will be such that additional 10' fill is required for 9 houses. Second, the requirement of spread footing which will make an added cost involved above the normal cite.
5. The Capitol Hill Restoration Society and the Capitol Hill Southeast Citizens Association supported the granting of this appeal.
6. There was no opposition registered at the Public Hearing as to the granting of this appeal.

OPINION:

We are of the opinion that appellant has not proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, we hold that the requested relief cannot be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Appeal No. 10920

Page 2

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED

By:

\_\_\_\_\_  
GEORGE A. GROGAN  
Secretary of the Board

December 6, 1971